

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

LINCOLN E. TAYLOR,)	
)	
Petitioner,)	
)	
v.)	No. CIV-05-181-L
)	
REGINALD HINES, et al.,)	
)	
Respondents.)	

ORDER

This matter is before the court for review of the Report and Recommendation entered by the Honorable Doyle W. Argo on March 25, 2005, in which he recommended the petition for mandamus be dismissed on filing. On April 12, 2005, petitioner filed Motion for Relief from Judgment and Order, which the court construes as his objections to the Report and Recommendation. In those objections, petitioner appears to argue that his state sentences were imposed in violation of the *Ex Post Facto* Clause of the United States Constitution. Petitioner's objections, however, do not address the fundamental flaw in his action: this court lacks jurisdiction to compel action by state officials.

Having conducted a *de novo* review of the Report and Recommendation, petitioner's objections thereto and the case file, the court concludes that the well reasoned and thorough Report and Recommendation should be approved and adopted in its entirety. The Request for Order/Mandamus be Issued to Oklahoma

County District Court and/or Order for Nunc Pro Tunc (Doc. No. 1) is DISMISSED upon filing. Judgment will issue accordingly.

It is so ordered this 13th day of June, 2005.



TIM LEONARD
United States District Judge